UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,966	04/11/2001	Louis Amadio	03797.00026	9719

28319   7590   10/24/2003

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EXAMINER
BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
2173	7

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application N .		Applicant(s)
Office Action Summary	09/832,966		AMADIO ET AL.
	Examiner		Art Unit
	Dennis G Bonshock		2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: The first 2

lines of claim 1 are repeated on pages 16 and 17.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3.   Claims 1-17 and 19 are rejected under 35 U.S.C. 102(a) as being anticipated by

Poole, "*Mac OS 8.5 Bible*".

4.   With regard to claim 1, which teaches a method of providing a graphical user

interface to an operating system comprising the steps of: providing an operating system

user interface manipulable by a user, Poole teaches, on page 159, paragraph 1, that

clicking the column headers sorts by that heading. With regard to claim 1, further

teaching a frame controlled by the operating system including a graphical

representation of an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a

graphical representation of each item. With regard to claim 1, further teaching a user

selectable property of the item, Pool teaches, on page 159, paragraph 1 and in figure 7-

9, a date column that can be selected for sorting.

5.   With respect to claim 2, teaching displaying the view in a folder view of a

graphical environment, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that

the items displayed are part of the Desktop Pictures folder.

6.   With respect to claim 3, teaching the step of displaying the view in an array on

the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items

displayed in an array.

7.   With respect to claim 4, teaching the operating system sorting the frames by the

user-selected property, Poole teaches, on page 109, paragraph 2 and figure 6-3,

arranging the icons by a user selectable property.

8.   With respect to claim 5, teaching the frame providing a plurality of sortable

properties of the item, Poole teaches, on page 109, paragraph 2 and figure 6-3,

arranging the icons by a user selectable property.

9.   With respect to claim 6, teaching an operating system of a computer having a

video screen comprising: a default directory for storing information about an item, Poole

teaches, on page 159, paragraph 1 and in figure 7-9, a folder of disk volume for storing

a icon name, modification date, etc. With regard to claim 6, further teaching a first

control that retrieves the stored information from the default directory, Poole teaches, on

page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the

corresponding stored information is retrieved from the folder. With regard to claim 6,

further teaching a second control that displays the information about the item on the

screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given

folder is selected the corresponding stored information is retrieved from the folder and

displayed on the screen. With regard to claim 6, further teaching displaying the

information dynamically in a frame, which is presented, on the video screen, Poole

teaches, on page 162, paragraph 3, that the recent button stores recently opened

documents. With regard to claim 6, further teaching a user interface control

manipulable by a user for requesting the display of the information on the video screen,

Poole teaches, on page 159, paragraph 1 and in figure 7-9, a user interface for

requesting a specific manipulable display on the screen.

10.   With respect to claim 7, which teaches the frame displaying properties that

identify the item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the frame

displaying the items name and the modified date, along with a thumbnail.

11.   With respect to claim 8, which teaches the frame displaying a graphic

representation of an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9,

the frame displaying both a thumbnail graphic representation and a preview

representation of an item.

12.   With respect to claim 9, which teaches the first control sorting the frames by one

of the properties that identify the item, Poole teaches, on page 159, paragraph 1 and in

figure 7-9, that if one of the properties are selected the items are sorted by column

heading.

13.   With respect to claim 10, which teaches a computer readable medium having

computer-executable instructions for performing steps comprising: a database

component for storing properties of an item that are specific to the item, Poole teaches,

on page 159, paragraph 1 and in figure 7-9, a folder of disk volume for storing a icon

name, modification date, etc. With respect to claim 10, further teaching a first control component for providing a graphic user interface on a video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a controllable folder for retrieving stored information and displaying it on the screen. With respect to claim 10, further teaching a second control component for displaying the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen. With regard to claim 10, further teaching a user interface component manipulable by a user for requesting the display of the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a user interface for requesting a specific manipulable display on the screen. With regard to claim 10, further teaching that if a request to display the properties of the item is received: the first control component retrieves the stored properties from the database component, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder. With regard to claim 10, further teaching sending the properties to the second control component which displays the properties dynamically in a frame on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen.

14.   With respect to claim 11, which teaches having computer-executable instructions wherein the user interface component requests the sort arrangement of the properties

of the item on the video screen, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property on the display screen.

15.   With respect to claim 12, which teaches receiving a sort request from the user, sorting the properties by the sort request, and displaying the sorted properties on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the user selecting a column heading, the items being sorted by this heading, and it being displayed on the display screen.

16.   With respect to claim 13, which teaches a graphical user interface including a display, Poole teaches, on page 109, paragraph 2 and figure 6-3, a navigation services dialog box displayed on a user interface. With regard to claim 13 further teaching a graphical user interface including a user interface selection device, Poole teaches, on page 162, paragraph 5, the user navigating the folder environment through the use of a keyboard. With regard to claim 13, further teaching a method of selecting from a menu, Poole teaches, on page 109, paragraph 2 and figure 6-3, the user selecting properties from a menu. With regard to claim 13, further teaching providing specific properties about an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items having specific properties associated with them. With regard to claim 13, further teaching the steps of displaying a set of menu entries including a tile menu entry, receiving a first menu entry execution signal indicative of the user interface selection device pointing at the tile menu entry on the display, displaying an arrange item menu entry including a set of cascade menu items associated therewith, receiving a menu entry selection signal indicative of the user interface selection device pointing at the

arrange item menu entry on the display, in response to the selection signal , displaying

the cascade menu items, receiving a second menu entry execution signal indicative of

the user interface selection device pointing at one of the cascade menu items

associated with the arrange item menu entry, in response to the first and second

execution signals, retrieving from a default directory the specific properties of the item,

displaying dynamically the properties of the item that are specific to that item in a tile

format on the display, and arranging the properties of the item n the display based on

the selected one of the cascade menu item, Poole teaches, on page 109, paragraph 2

and figure 6-3, the process of pointing to a menu, the menu expanding, moving over an

new element, expanding to show new elements, moving into this new submenu,

selecting a function, and then the specific function being implemented by arranging the

icons accordingly and displaying the resultant folder on the display.

17.   With respect to claim 14, which teaches the tile format being a user interface

display, which includes an icon, Poole teaches, on page 159, paragraph 1 and in figures

7-9, the items having a specific icon, which represents them. With regard to claim 14,

further teaching at least one row of item properties located adjacent to the icon, Poole

teaches, on page 159, paragraph 1 and in figure 7-9, the items having a properties

adjacent to them.

18.   With respect to claim 15, which teaches the tile format is a user interface display

comprising an icon and two rows of item properties, Poole teaches, on page 131,

paragraph 1 and figure 6-17, items having multiple associated item properties.

19.   With respect to claim 16, which teaches receiving a third menu entry execution

signal indicative of the user interface selection device pointing at the icon, and in

response opening the item represented by the icon, Poole teaches, on page 160,

paragraph 3 and 5, and figure 6-17, the items being able to be opened by clicking on it

once and clicking on the open button or by double clicking on the icon.

20.   With respect to claim 17, which teaches the item being a text file, Poole teaches,

on page 11, figure 1-10 teaches that the documents can be text documents.

21.   With respect to claim 19, which teaches the item being an image file, Poole

teaches, on page 159, paragraph 1 and in figure 7-9, the item being an image file.

Claim Rejections - 35 USC § 103

22.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

23.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole.

Poole teaches, on page 159, paragraph 1 and in figure 7-9, a folder in which items are

stored along with several properties and an icon. But doesn't teach the items being

audio files. It would have been obvious to one of ordinary skill in the art, having the

teachings of Poole before him at the time the invention was made to modify the folders

of Poole to contain audio files. One would have been motivated to make such a

combination because keeping consistency across formats, audio files and image files,

will allow the user to be able to use both without un-necessary training.
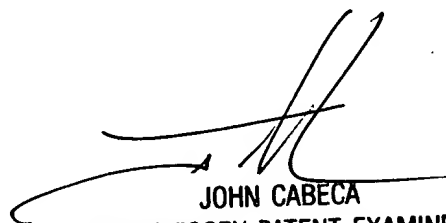
Conclusion

24.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to

consider these references fully when responding to this action. The documents cited

therein teach methods of organizing files in a folder.

25.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dennis G Bonshock whose telephone number is (703)

305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00

p.m.

26.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number

for the organization where this application or proceeding is assigned is (703) 872-9306.

27.   Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

dgb

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100